

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

JAMAL DAMON HENDRIX,

Plaintiff,

vs.

JOSHUA BARFIELD, *et al.*,

Defendants.

Case No.: 3:18-CV-00393-RCJ-WGC

**ORDER OF DISMISSAL WITHOUT
PREJUDICE PURSUANT TO FRCP 4(m)**

The Court filed the Notice of Intent to Dismiss Pursuant to FRCP 4(m) (ECF No. 52) on July 13, 2020. Plaintiff was ordered to provide the Court with proof of service as to the following parties: **T. Herrera, Frazier, and J. Mason** on or before August 12, 2020.

Before dismissing the action, the district court is required to weigh several factors: (1) the public's interest in expeditious resolution of litigation; (2) the Court's need to manage its docket; (3) the risk of prejudice to the defendants; (4) the public policy favoring disposition of cases on their merits; and (5) the availability of less drastic sanctions." *Ghazali v. Moran*, 46 F.3d 52, 53 (9th Cir. 1995) (internal citations and quotations omitted). All five factors point in favor of dismissal.

Plaintiff has failed to show good cause why these parties should not be dismissed without prejudice for failure to file proof of proper service with this Court

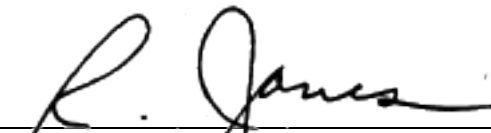
1 pursuant to FRCP 4(m) and failure to comply with the Notice of Intention to Dismiss
2 (ECF No. 52).

3 IT IS HEREBY ORDERED that Defendants **T. HERRERA, FRAZIER and J.**
4 **MASON** are **DISMISSED WITHOUT PREJUDICE** for Plaintiff's failure to comply with
5 the Court's Notice of Intention to Dismiss (ECF No. 52) pursuant to FRCP 4(m).
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7 IT IS FURTHER ORDERED that the Clerk of the Court shall enter judgment
8 accordingly.

9 IT IS SO ORDERED.

10 Dated this 22nd day of October, 2020.
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15 ROBERT C. JONES
16 United States District Judge
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